

10/524697 #3
BT01 Rec'd PCT/PTC 16 FEB 2005

Patent
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : John J. Acton III, et al
Int'l Appln.
No. : PCT/US03/27156
Int'l Date
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Filed : February 16, 2005
For : INDOLES HAVING ANTI-DIABETIC ACTIVITY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR § 1.97

Sir:

In compliance with 37 CFR § 1.97, Applicants and other individuals associated with the filing or prosecution of this application wish to bring to the attention of the Examiner the patents, publications, and other information of which they are aware, listed on the attached form PTO-1449, which they believe may be relevant to the examination of this application or may be material to patentability and in respect of which there may be a duty to disclose in accordance with 37 CFR § 1.56. Applicants respectfully request that the Examiner initial the form PTO-1449 after reviewing the pertinence of each reference.

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This Information Disclosure Statement is not an admission that any patent, publication, or other information referred to herein is "prior art" for this invention.

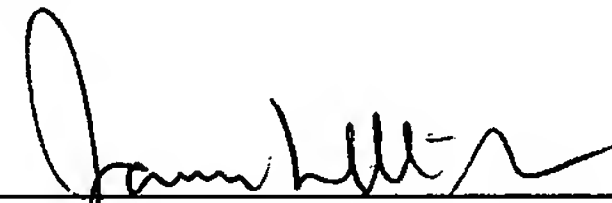
In accordance with 37 CFR § 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 CFR § 1.56(b). In accordance with 37 CFR § 1.97(g), the filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made.

Pursuant to 37 CFR § 1.97(b), this Information Disclosure Statement is being filed within three months of the filing date of the present application.

Copies of references other than the US patents and published patent applications that are cited on the attached form PTO-1449 are enclosed herewith.

Any additional fees required in connection with this submission may be taken from Merck Deposit Account No. 13-2755.

Respectfully submitted,

By 

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Date: February 16, 2005

(use as many sheets as necessary)

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				COMPLETE IF KNOWN Application Number PCT/US05/000000 Filing Date First Named Inventor John J. Acton III, et al Group Art Unit Examiner Name Attorney Docket Number 21116Yp	
Sheet	1	of	1		

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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Office	Number	Kind Code (if known)		
			WO 02 08188		MERCK & CO., INC.	01/31/2002
			WO 01 30343		MERCK & CO., INC.	05/03/2001
			WO 99/43651		GENETICS INSTITUTE, INC.	09/02/1999
			WO 99/43672		GENETICS INSTITUTE, INC.	09/02/1999
			WO 98/08818		GENETICS INSTITUTE, INC.	03/05/1998
			WO 00/35886		AXYS PHARMACEUTICALS, INC.	06/22/2000
			WO 99/43654		GENETICS INSTITUTE INC.	09/02/1999
			EP 1 424 325		ONO PHARMACEUTICAL CO.LTD.	06/02/2004
			WO 2004/006920		ELBION AG	01/22/2004
			WO 02/30895		BAYER CORPORATION	04/18/2002

Examiner Signature		Date Considered	
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***Examiner:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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